

IN THE COURT OF PRL. JUDGE, COURT OF SMALL CAUSES
AND MACT., MYSURU.
MVC.NO. 191/2024

Witness Name	:	Ravikumar H.S.	PW.2
Father Name	:	Shankaralingegowda	
Age	:	39 years	
Occupation	:	Orthopedic Surgeon, DRM Hospital, Mysuru.	
Residence	:	Mandya	

Witness called and duly sworn on: 18.03.2026

EXAMINATION IN CHIEF BY: SRI. MN LEARNED COUNSEL
FOR PETITIONER:

Now I see the affidavit filed in lieu of my examination in chief, the same bears my signatures. The same is prepared as per my instructions and i am aware of the contents of the same. The contents of the affidavit is true to the best of my knowledge, information and belief.

Ex.P13	The entire case sheet pertaining to Sri. Siddesh B.R.
Ex.P14	One recent X-ray film
Ex.P15	Recent OPD slip
Ex.P16	Disability assessment report

2. The petitioner has implants insitu and he might incur Rs.50,000/- to 60,000/- towards implant removal including surgery charges and hospitalization charges.

CROSS EXAMINATION BY: SRI. JSK LEARNED COUNSEL FOR RESPONDENT NO.2:

3. The petitioner was admitted to DRM Hospital, Mandya on 12.12.2023 and was discharged on 16.12.2023. Though it is true to suggest that I have not produced any document to show that the petitioner was consulting me for follow up treatment on OPD basis, the same would be with the petitioner however he has consulted me for follow up treatment.

4. I have not procured the copies of the OPD record from the petitioner during his consultation visits. I have not gone through the previous OPD slips before assessing the disability of the petitioner. Apart from post-surgery and pre-surgery X-rays, the X-ray was procured after about 1 and half month of surgery to ascertain the status of the fracture.

5. Though I have not mentioned regarding the report of the radiologist in my affidavit, the radiologist reports are annexed to the X-ray films. The fractures sustained by the petitioner have united. The petitioner was not referred to Medical Board by me. Though I was a member of District Medical Board before I resigned but the disability of the petitioner is assessed by me in my capacity as the treating doctor and not as a member of the District Medical Board. I have not been authorized by the District medical board to assess the disability after I resigned.

6. I have submitted the disability assessment report as per the proforma given by the Central Government. It is false to suggest that I have entered the numerical of a previous report and have not actually

examined the petitioner for assessment of disability. I have assessed disability of 8% under the head of extra point i.e., additional weightage. The petitioner was not subjected to nerve conduction tests nor was he referred to a Neuro physicians.

7. I have not specified the cause for pain and whether the same is reversible. I have also not specified the future course of reduction for pain. Upon being suggested that I have not mentioned the extent of deformity and I have also not specified whether the deformity would have affect the avocation of the petitioner, witness states that I have mentioned the extent of deformity and the same is a non functional disability which will not affect the routine function of the limb.

8. I have only assessed the physical impairment and the same is not functional disability assessed on the basis of avocation of the petitioner. It is false to suggest that the Ex.P16 does not pertain to the petitioner and yet I have produced the same to substantiate the exaggerated percentage of disability assessed by me. It is false to suggest that the disability calculation sheet produced by me pertains to one Sri. Yathish and not the petitioner herein.

9. It is false to suggest that since I have assessed the disability to suit the convenience of the petitioner and have mentioned exaggerated percentage of disability. It is false to suggest that I have assessed and fixed higher disability in gross violation of guidelines in order to support the claims of the petitioner for higher compensation. It is false to suggest that in order to support the compensation claims of PW.1, I have issued a false disability certificate despite the fact that PW.1 has not suffered any such disability.

10. I have not produced any document wherein I have advised the petitioner to undergo surgery for removal of implants. I have not produced any document pertaining to estimated charges that the petitioner might incur for removal of implant nor have I produced the cost breakdown of the same. It is false to suggest that with an intention to support the claim of the petitioner for higher compensation I have falsely asserted that the petitioner might incur Rs.50,000/- to Rs.60,000/- towards removal of implants.

11. It is false to suggest that considering the fact that the fractures have united, the disability of 45% to the left lower limb assessed by me is exaggerated and hence cannot be accepted. It is true to suggest that I have not specified the tests conducted to ascertain the extent of disability under the mobility and stability component. It is true to suggest that I have not specified the number of steps and the height of steps the petitioner can climb without difficulty.

RE-EXAMINATION – NIL

(Typed to my dictation in the open court)

R.O.I. & A.C.

Sd/-

Prl. Judge.

Court of SC., & MACT., Mysuru